

August 22, 2009

Office of the General Counsel Federal Election Commission 999 E Street, N.W. Washington, DC 20463

Re: <u>MUR 6209</u>

Ladies and Gentlemen:

This will respond to Jeff Jordan's letter to me dated August 13, 2009 regarding the complaint filed by George D.J. Phillies. The source of the information in this letter is the accountant who prepares and files FEC reports for the Libertarian National Committee ("LNC").

I am informed that the LNC made no contributions by cash, check or wire transfer to the Barr 2008 Presidential Committee. The LNC did pay the salary and payroll taxes of Andrew R. Davis, an LNC employee who was assigned to work part-time for the Barr 2008 Presidential Committee from June 25, 2008 through November 12, 2008. All relevant payments were disclosed as in-kind contributions to the Barr 2008 Presidential Committee on Schedule B, Line 23 of the LNC's disclosure reports from August, 2008 through the 30 Day Post General, 2008 (Exhibit A). These in-kind contributions totaled \$4,589.87 and are the only contributions made by the LNC to the Barr 2008 Presidential Committee. The LNC did not make the \$10,000 contribution shown on Schedule A, Line 11(b) of the Barr 2008 Presidential Committee's August, 2008 monthly report.

The LNC received contributions totaling \$15,000 from the Bob Barr Leadership Fund during 2008 (Exhibit B). A \$10,000 contribution received on August 6, 2008 was erroneously disclosed as having been received from the Barr 2008 Presidential Committee instead of the Bob Barr Leadership Fund on Schedule A, Line 11(c) of the original August, 2008 FEC report. The report was amended when the error was discovered.

When Mr. Phillies brought this matter to the attention of the LNC Executive Board, the Board contacted the LNC's independent auditors. They responded by letter dated July 12, 2009 (Exhibit C).

In short, Mr. Phillies' allegations are unfounded.

Very truly yours,

Aaron Starr

Treasurer, Libertarian National Committee

EXHIBIT A

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B. Form/Schedule : **3523**

Transaction ID: 8823.37932.0

Mr. Davis is an employee of the Libertarian National Committee who is also working with the Berr 2008 Presidential Committee part-time while being comparested by the Libertarian National Committee. The Committee estimates that one-third of Mr. Davis' time is spent working for the Berr 2008 Presidential Committee and two-thirds as Mr. Davis' time is spent working for the Libertarian National Committee. This entry represents the allocation of Mr. Davis' ealary.

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B. Form/Schedule : 8823

Transaction ID: 8823.37809.0

Mr. Davie is an employee of the Libertarian National Committee who is also working with the Barr 2008 Presidential Committee part-time while being companies by the Libertarian National Committee. The Committee estimates that one-third of Mr. Davis' time is spent working for the Barr 2008 Presidential Committee and two-thirds as Mr. Davis' time is spent working for the Libertarian National Committee. This entry represents the allocation of Mr. Davis' employer payroll taxes.

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JR. Form/Schedule: 8823

Transaction ID: \$823.42112.0

Mr. Davis is an employee of the Libertarian National Committee who is also working with the Barr 2008 Presidential Committee part-time while being compensated by the Libertarian National Countities. The Committee estimates that one-third of Mr. Davis' time is spent working for the Barr 2008 Presidential Committee and two-thirds as Mr. Davis' time is spent working for the Libertarian National Committee. This entry represents the allocation of Mr. Davis' employer payroll taxes.

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FEC Schedule B (Form 27) (Revised (2/2003)

A. Form/Schedule: 8823

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Mr. Davis is an employee of the Libertarian National Committee who is also working with the Barr 2008 Presidential Committee part-time while being compensated by the Libertarian National Committee. The Committee estimates that one-find of Mr. Davis' time is spent working for the Barr 2008 Presidential Committee and two-thirds on Mr. Davis' time is spent working for the Libertarian National Committee. This entry represents the allocation of Mr. Davis' salary.

C. Form/Schedule: SB23

Transaction to: 8823.42115.0

Mr. Davis is an employee of the Libertarian National Committee who is also working with the Barr 2008 Presidential Committee part-time while being compensated by the Libertarian National Committee. The Committee setimates that one-filled of Mr. Davis' time is spent working for the Barr 2008 Presidential Committee and two-thirds as Mr. Davis' time is spent working for the Libertarian National Committee. This entry represents the allocation of Mr. Davis' employer payroll taxes.

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B. Form/Schedule: 8823

Transaction ID: \$23,42110.0

Mr. Davis is an employee of the Libertarian National Committee who is also working with the Barr 2008 Presidential Committee part-time while being compensated by the Libertarian National Committee. The Committee cestimates that one-third of Mr. Davis' time is spent working for the Barr 2008 Presidential Committee and two-thirds on Mr. Davis' time is spent working for the Libertarian National Committee. This entry represents the allocation of Mr. Davis' salary.

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B. Form/Schedule: 8823

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Mr. Davis is an employee of the Libertarian National Committee who is also working with the Barr 2008 Presidential Committee part-time while being compensated by the Libertarian National Committee. The Committee estimates that one-third of Mr. Davis' time is spent working for the Barr 2008 Presidential Committee and two-thirds on Mr. Davis' time is spent working for the Libertarian National Committee. This entry represents the allocation of Mr. Davis' employer payroll toxes.

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Any Information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee NAME OF COMMITTEE (in Full) LIBERTARIAN NATIONAL COMMITTEE Full Name (Last, First, Middle Initial) Andrew Davis Malling Address 1839 Longlesf Dr City State Zip Code Myrtle Beach 8C 29575-5400 Purpose of Disbursement in Reports and Statements and political committee Category/ Type Transcation ID: \$823.47045.0 Date of Disbursement this Period Statement Category/ Type Transcation ID: \$823.47045.0 Transcation ID: \$823.47045.0 Date of Disbursement this Period Statement ID: \$823.47045.0 Transcation ID: \$823.47045.0 Date of Disbursement in Report ID: \$823.47045.0 Date of Disbursement in Report ID: \$823.47045.0 Transcation ID: \$823.47045.0 Date of Disbursement in Report ID: \$823.47045.0 Transcation ID: \$823.47045.0 Date of Disbursement in Report ID: \$823.47045.0 Transcation ID: \$823.47045.0 Date of Disbursement
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A. Form/Schedule: SB23

Transaction ID: \$823.47045.0

Mr. Davis is an employee of the Libertarian National Committee who is also working with the Barr 2008 Presidential Committee part-time while being compensated by the Libertarian National Committee. The Committee estimates that one-third of Mr. Davis' time is spent working for the Barr 2008 Presidential Committee and two-thirds on Mr. Davis' time is spent working for the Libertarian National Committee. This entry represents the allocation of Mr. Davis' salary.

C. Form/Schedule: SB23

Transaction ID: 8B23.47047.0

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B. Form/Schedule : 9823

Transaction ID: 8823.47048.0

Mr. Davis is an employee of the Liberterian National Committee who is also working with the Barr 2008 Presidential Committee part-time while being companied by the Liberterian National Committee. The Committee estimates that one-third of Mr. Davis' time is spent working for the Barr 2008 Presidential Committee and two-thirds on Mr. Davis' time is spent working for the Liberterian National Committee. This entry represents the allocation of Mr. Davis' salary.

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A. Form/Schedule: 8823

Transaction ID: 8823.47051.0

Mr. Davis is an employee of the Libertarian National Committee who is also working with the Barr 2008 Presidential Committee part-time while being compensated by the Libertarian National Committee. The Committee estimates that one-third of Mr. Davis' time is spent working for the Barr 2008 Presidential Committee and two-thirds on Mr. Davis' time is spent working for the Libertarian National Committee. This entry represents the allocation of Mr. Davis' salary.

C. Form/Schedule: 8823

Transaction ID: 8823.47053.0

Mr. Davis is an employee of the Libertarian National Committee who is also working with the Barr 2006 Precidential Committee part-time while being compensated by the Libertarian National Committee. The Committee estimates that one-third of Mr. Davis' time is spent working for the Barr 2006 Precidential Committee and two-thirds on Mr. Davis' time is spent working for the Libertarian National Committee. This entry represents the allocation of Mr. Davis' employer payroli taxes.

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Mr. Davis is an employee of the Libertarian National Committee who is also working with the Barr 2008 Presidential Committee part-time while being compensated by the Libertarian National Committee. The Committee settmates that one-third of Mr. Davis' time is spent working for the Barr 2008 Presidential Committee and two-thirds on Mr. Davis' time is spent working for the Libertarian National Committee. This entry represents the allocation of Mr. Davis' salary.

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A. Form/Schedule: SB23

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Mr. Davis is an employee of the Libertarian National Committee who is also working with the Barr 2008 Presidential Committee part-time while being compensated by the Libertarian National Committee. The Committee estimates that one-Stird of Mr. Davis' time is spent working for the Barr 2008 Presidential Committee and two-thirds on Mr. Davis' time is spent working for the Libertarian National Committee. This entry represents the allocation of Mr. Davis' employer payroll taxes.

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B. Form/Schedule: 8823

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Mr. Davis is an employee of the Liberterian National Committee who is also working with the Barr 2006 Presidential Committee part-time while being compensated by the Liberterian National Committee. The Committee estimates that one-third of Mr. Davis' time is spent working for the Barr 2006 Presidential Committee and two-thirds os Mr. Davis' time is spent working for the Liberterian National Committee. This entry represents the attocation of Mr. Davis' salary.

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Mr. Devie is an employee of the Libertarian National Committee who is also working with the Barr 2008 Presidential Committee part-time while being compensated by the Libertarian National Committee. The Committee estimates that one-fixed of Mr. Davis' time is spent working for the Barr 2005 Presidential Committee and two-thirds on Mr. Davis' time is spent working for the Libertarian National Committee. This entry represents the allocation of Mr. Davis' employer payroll taxes.

C. Form/Schedule: SB23

Transaction ID: \$823.54843.0

Mr. Davis is an employee of the Libertarian National Committee who is also working with the Barr 2008 Presidential Committee part-time while being compensated by the Libertarian National Committee. The Committee estimates that one-third of Mr. Davis' time is spent working for the Barr 2008 Presidential Committee and two-thirds os Mr. Davis' time is spent working for the Libertarian National Committee. This entry represents the allocation of Mr. Davis' salary.

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B. Form/Schedule: SB23

Transaction 10: 8B23.54845.0

Mr. Davis is an employee of the Libertarian National Committee who is also working with the Berr 2008 Presidential Committee part-time while being compensated by the Libertarian National Committee. The Committee estimates that one-filled of Mr. Davis' time is sport working for the Berr 2008 Presidential Committee and two-filled as Mr. Davis' time is sport working for the Libertarian National Committee. This entry represents the allocation of Mr. Davis' employer payroll taxes.

EXHIBIT B

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City Atlanta	State Zip Code GA 30330	Transaction ID: SA11C.37873 Amount of Each Receipt this Period
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This contribution was incorrectly attributed to the Bob Barr 2006 Precidential Committee (Committee ID #C00480841) in our original September 20, 2006 Form 3X fited September 20, 2008. We are smending this report to correctly declose the source of the contribution, the Bob Barr Leadership Fund (Committee ID # C00340190). Although this contribution was correctly recorded in our accounting records and correctly transmitted to the company that prepares our FEC reports, an upload error by the company preparing the FEC report resulted in the contribution's being incorrectly declosed.